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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,969	02/14/2002	Takashi Kitaguchi	219630US2	4958
22850	7590	03/18/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CRUZ, MAGDA	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,969

Applicant(s)

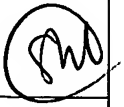
KITAGUCHI ET AL.

Examiner

Magda Cruz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13, 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/12/04, 3/23/04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>IDS 5/17/02 & 5/14/02</u> . |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nozawa et al.

Nozawa et al. (US Patent Number 5,805,272) discloses:

- Regarding claim 14, an image input apparatus (Figure 21) comprising an image pick-up unit (2); a support unit (116a) for supporting the image pick-up unit (2); and a three-dimensional configuration measuring unit for measuring a three-dimensional image object (column 18, lines 24-37), which apparatus has three image pick-up modes consisting of a paper image pick-up mode (step #302) for picking up an image of a flat object such as paper (column 18, lines 39-40); a book image pick-up mode (step #308) for picking up an image of a double-page spread object such as an

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opened book (column 19, lines 1-3); and a three-dimensional image pick-up mode (step #304) for picking up an image of a three-dimensional object (column 18, lines 44-48).

- Regarding claim 15, the image pick-up unit (2) has a plurality of image pick-up resolution settings corresponding to the image pick-up modes (column 18, lines 51-57).
- Regarding claim 16, an image object determining unit for determining characteristic features the image object accordance with measurement result obtained by three-dimensional configuration measuring unit (column 4, lines 53-63); and an automatic mode select unit for automatically selecting one the three image pick-up modes in accordance with determined result from the image object determining unit (column 18, lines 38-50).

Allowable Subject Matter

4. Claims 1-13 and 17-18 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

- Regarding claim 1, the prior art or record neither shows nor suggests an image pick-up unit picks up a projection image containing a visual angle distortion of the predetermined projection light pattern, the relative position between the projector unit and the image pick-up unit is fixed, and the

mover unit causes relative movement of image pick-up unit so as to pick up a plurality of projection images at different image pick-up locations

- Regarding claim 17, the prior art or record neither shows nor suggests and an image input apparatus comprising a image pick-up unit that picks up a projection image containing a visual angle distortion of the predetermined projection light pattern, and the mover unit moves the image pick-up unit by a very small distance, so that the image pick-up unit picks up a plurality of projection images in image pick-up positions that are only slightly shifted from one another.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fukuyama et al. (US Patent Number 4,963,986) discloses an image input apparatus for resetting the amount of exposure from a correction value for a predetermined standard value.

Jinnai (US Patent Number 5,339,173) teaches an imaging apparatus having object plate and variably positionable image sensor.

Taguchi (US Patent Number 5,719,969) shows a data input apparatus and data processing apparatus.

Morimura (US Patent Number 5,940,128) discloses an object imaging apparatus with object slant correction facility.

Miyata et al. (US Patent Number 6,065,839) teaches a material exhibiting apparatus displays and image of a material.

Yamazaki (US Patent Number 6,082,865) shows a projection type display device with image pickup function.

Yamane (US Patent Number 6,300,975 B1) discloses an image pickup apparatus including a video camera shooting a material placed on a stage to obtain an image signal delivered to an external reproducing equipment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (571) 272-2114. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Magda Cruz
Patent Examiner
March 15, 2005

RODNEY FULLER
PRIMARY EXAMINER

